

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CYBERFONE SYSTEMS, LLC,

*Plaintiff,*

v.

CELLCO PARTNERSHIP, *et al.*,

*Defendants.*

C.A. No. 11-827-SLR

**UNOPPOSED MOTION REGARDING BRIEFING ON DEFENDANTS'  
MOTIONS TO DISMISS AND ANSWER DEADLINES**

WHEREAS, CyberFone Systems, LLC (“CyberFone”) filed the First Amended Complaint (D.I. 75) in this action on November 18, 2011;

WHEREAS, on December 7, 2011, the Court granted CyberFone’s Unopposed Motion to Extend Time for the Defendants to Answer or Otherwise Response to the First Amended Complaint (D.I. 83; December 7, 2011 Docket Entry);

WHEREAS, on December 20, 2011, Sharp Electronics Corporation (“Sharp”) filed a Motion to Dismiss the First Amended Complaint (D.I. 94) (the “Motion to Dismiss”), the Moving Wireless Carriers<sup>1</sup> filed a Motion to Stay (D.I. 99) (the “Motion to Stay”), and the Moving Wireless Handset Manufacturers<sup>2</sup> filed a Motion to Sever for Misjoinder (D.I. 101) (the “Motion to Sever” and collectively with the Motion to Dismiss and the Motion to Stay, the “Motions”); and

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<sup>1</sup> The Moving Wireless Carriers include AT&T Mobility LLC, Boost Mobile LLC, Cellco Partnership, Cricket Communications Inc., MetroPCS Wireless Inc., Sprint Spectrum L.P., T-Mobile USA Inc., TracFone Wireless Inc., United States Cellular Corporation.

<sup>2</sup> The Moving Wireless Handset Manufacturers include Apple Inc., Futurewei Technologies Inc., HTC America Inc., Hewlett-Packard Company, LG Electronics MobileComm U.S.A., Inc., Motorola Mobility Inc., Nokia Inc., Research in Motion Corporation, Sony Ericsson Mobile Communications (USA) Inc.

WHEREAS, the parties have conferred and agreed, subject to the approval of the Court, to modify the schedule in this matter as set forth below.

NOW, THEREFORE, on behalf of all the parties, pursuant to Fed. R. Civ. P. 6(b) and 15, CyberFone respectfully moves the Court as follows:

1. CyberFone shall respond to the Motions on or before January 20, 2012.
2. Sharp, the Moving Wireless Carriers, and the Moving Wireless Handset Manufacturers shall file any replies in support of the Motions on or before February 6, 2012.
3. All other Defendants shall file answers to the First Amended Complaint (D.I. 75) on or before January 17, 2012, except that defendant ZTE (USA) Inc., consistent with the stipulated order already in place (D.I. 117), shall answer, move, or otherwise respond on or before January 17, 2012.
4. Sharp, the Moving Wireless Carriers, and the Moving Wireless Handset Manufacturers shall file answers to the First Amended Complaint (D.I. 75) within twenty (20) days of the issuance of any opinion denying the Motions.

January 6, 2012

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*Attorneys for Plaintiff  
CyberFone Systems, LLC*

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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The Honorable Sue L. Robinson  
United States District Judge